



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,688	11/09/2001	Shmuel Shaffer	062891.0629	2955

5073 7590 01/21/2005

BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
----------	--------------

2642

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

BM

Advisory Action

Application No.

09/990,688

Applicant(s)

SHAFFER ET AL.

Examiner

Quynh H Nguyen

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED

FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-33.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Quynh H. Nguyen
Tel:(703)-305-5451


Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments filed 12/30/04 have been fully considered but they are not persuasive.

As to claim 1, Applicant argues that "Multi-line telephone system 105 of Weinman is designed to be coupled to a central office 120 of a standard public telephony network 125" and "the combination of the multi-line telephone system of Weinman with the packet switched network of Chow would render" an inoperable "multi-line telephone system 105 incapable of placing calls to or receiving calls from two or more calling parties at telephones 130 and 135". Examiner respectfully disagrees. It is a 103 rejection and an ordinary skill in the art would modify Weinman's multi-line telephone system to couple to a packet switch network. Examiner does not understand why Applicant concludes that "Coupling multi-line telephone system 105 to a packet switched network would make multi-line telephone system 105 incapable of placing calls to or receiving calls from two or more calling parties at telephones 130 and 135". Note that claim 1 also recites establishing / coupling two lines phone (first phone line and second phone line) over a packet switched network.

Similar arguments applied to claims 11, 14, 21, 28, and 33.

As to claim 12, Applicant argues that Weinman does not teach a first endpoint, a call manager and receiving signaling information at the first and second endpoints from a call manager. Weinman teach a first endpoint ("the user" in col. 2, line 17 and col. 3, lines 20-22) and a second endpoint (col. 3, lines 34-37). Weinman does not teach a call manager. It would have been obvious (or at least inherent) that a CPU at switch 120 acts as a call manager to handle calls establishment between the first and second endpoints.

Examiner: Quynh Nguyen
Tel: (703)-305-5451


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700